



## Sierra Leone

### Country Reports on Human Rights Practices - [2003](#)

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Sierra Leone is a constitutional republic with a directly elected President and a unicameral legislature. In January 2002, the devastating 11-year civil conflict officially ended, and the Government, backed by a large U.N. peacekeeping force, subsequently asserted control over the whole country. Revolutionary United Front (RUF) insurgents, who fought successive governments since 1991, and the Civil Defense Force (CDF), a government-allied militia, completed disarmament and demobilization in 2002. Ahmed Tejan Kabbah was re-elected President in 2002, and his Sierra Leone People's Party (SLPP) won a large majority in Parliament. Many international monitors declared the elections free and fair; however, there were numerous reports of election irregularities and abuses. The U.N. continued the Adjustment, Drawdown, and Withdrawal process and maintained a force of approximately 11,250 peacekeepers at year's end; the complete withdrawal of the U.N. Mission in Sierra Leone (UNAMSIL) was targeted for December 2004. From April to August, the Truth and Reconciliation Commission (TRC) held public hearings to air the grievances of victims and the confessions of perpetrators from the civil war. During the year, the Special Court of Sierra Leone (SCSL) war crimes tribunal indicted 13 persons. There still were sections of the country where the judiciary had not yet returned. The judiciary demonstrated substantial independence in practice, but at times was subject to corruption.

Among the Government's security forces, the Sierra Leone Police (SLP) officially has primary responsibility for internal order; however, on occasion, the Republic of Sierra Leone Armed Forces (RSLAF) and UNAMSIL share responsibility with the police in security matters. The RSLAF is responsible for external security. Civilian authorities maintained control of security forces throughout the year. Some members of the security forces committed human rights abuses.

The country had a market-based economy and remained extremely poor; per capita GDP was \$170. Approximately two-thirds of the working population engaged in subsistence agriculture. Limited agricultural production resumed after a virtual standstill during the war, and industrial mineral companies began rehabilitating mining sites to resume extraction; illegal diamond mining continued. There was little manufacturing, and there were few exports; approximately 60 percent of the Government's budget came from foreign assistance. Years of fighting and decades of corruption and mismanagement resulted in a devastated infrastructure.

The Government generally respected the rights of its citizens; however, there were serious problems in several areas. RSLAF soldiers beat to death a civilian. Security forces raped women and children; UNAMSIL forces also raped women and children. Although conditions in some prisons improved, many detention centers were overcrowded and unsanitary. Members of the SLP continued to arrest and detain persons arbitrarily. There were reports of extortion by police. Prolonged detention, excessive bail, and insufficient legal representation remained problems. The Government at times limited freedom of speech and the press during the year. Violence in Liberia, which produced an influx of more than 11,000 Liberian refugees during the year, contributed to instability in border areas. Violence, discrimination against women, and prostitution remained problems. Female genital mutilation (FGM) remained widespread. Abuse of children was a problem; however, numerous children who fought as child soldiers continued to be released and participated in reintegration programs during the year. Residents of non-African descent faced institutionalized political restrictions. Forced labor continued to be a problem in rural areas. Child labor remained a problem. There were reports of trafficking in persons.

There were some reports of abuses committed by former RUF/Armed Forces Revolutionary Council (AFRC) rebels. International aid groups believed that many girls who were abducted by the RUF remained sex slaves during the year.

During the year, there were incursions into the country by Liberian combatants, who sometimes raided villages and used inhabitants as porters.

## RESPECT FOR HUMAN RIGHTS

### Section 1 Respect for the Integrity of the Person, Including Freedom From:

#### a. Arbitrary or Unlawful Deprivation of Life

There were no political killings; however, security forces committed unlawful killings during the year.

On June 6, three RSLAF soldiers allegedly beat to death a Fullah businessman. The soldiers were arrested and charged; however, the case had not been heard by year's end.

On February 3, a prisoner died at Magburaka Prison, allegedly from tetanus resulting from untreated wounds sustained in a January escape attempt. Human rights monitors claimed the dead prisoner showed signs of torture; the guard believed to be the assailant was reassigned to another prison. Prison guards beat another prisoner involved in the January escape attempt.

During the year, the SCSL indicted 13 persons for crimes against humanity and war crimes under the Geneva Convention (see Section 4).

At year's end, more than 60 RUF/AFRC members remained in Pademba prison awaiting trial (see Section 1.d.).

No known action was taken in the 2001 killings by CDF forces.

No action was taken against RUF rebels responsible for killings in 2001; it was unknown if specific incidents would be included in the SCSL cases against RUF leaders. Unlike in previous years, UNAMSIL was not responsible for killings.

There was no action taken against Guinean armed forces who participated in numerous killings in 2001. Guinean soldiers continued to occupy disputed land in Yenga, Kailahun District.

Multiple mass grave sites were discovered throughout the year: A site at Bendu Malen reportedly contained the bodies of more than 250 persons killed by the RUF; a site at Sahn Malen contained the remains of more than 30 juveniles killed in 1991 by the Sierra Leone Army (SLA), the precursor to the RSLAF; and a site near Bo, where Nigerians, Guineans, CDF members, SLA soldiers, and civilians were allegedly buried by the RUF in 1998 and 1999. Mass graves also were discovered in Pujehun District.

#### b. Disappearance

From 1991 to 1999, the RUF abducted approximately 20,000 persons throughout the country; some victims escaped, and more than 10,000, primarily children, were released and went through a formal reintegration process. However, former RUF rebels continued to hold some persons, including women and children, as laborers or sex slaves at year's end. Some women reportedly remained with their captors during the year due to a lack of viable options and intimidation by their captors (see Section 5). According to child protection officers from nongovernmental organizations (NGOs), the Government was severely hindered by a lack of resources and had taken little action to secure their release. The Ministry of Social Welfare, Children, and Gender maintained a database, with the help from UNICEF, which attempted to track children separated from their families during the war. International NGOs continued to work to secure the release of women and children from their captors, with government assistance on some occasions.

Unlike in the previous year, there were no reports that Liberian combatants abducted villagers. Some persons abducted in 2002 by Liberian forces returned the same year to their homes in Mandavalahun, Sange, Kokobu, and Kolu in Kailahun District; however, the whereabouts of others remained unknown.

#### c. Torture and Other Cruel, Inhuman, or Degrading Treatment or Punishment

The Constitution prohibits such practices; however, there were reports that security forces engaged in torture and rape, and that police stole, extorted, and accepted bribes.

Security forces raped women and children during the year. On June 23, a police constable in Kambia was arrested and charged with raping an 8-year-old girl. By year's end, the constable had not been tried and reportedly was released from custody. Another police officer allegedly raped an elderly woman in Lunsar. In July, an RSLAF soldier allegedly raped a 9-year-old girl in Malikia Village, Kambia District; the same month, another RSLAF soldier allegedly raped a child in Kambia. During the year, an RSLAF soldier was sentenced to 56 days imprisonment and hard labor for raping a 9-year-old girl in Kenema.

On multiple occasions, police did not intervene while crowds beat alleged thieves.

There were no developments in the 2002 beating by two uniformed RSLAF soldiers of two former RUF combatants in the presence of two police officers.

No known action was taken against RUF members who committed abuses in 2001.

During the year, there were reports that UNAMSIL staff and soldiers raped persons. One UNAMSIL national staff member allegedly raped a woman at UNAMSIL headquarters at Mammy Yoko in Freetown; a subsequent investigation by UNAMSIL could not confirm the rape. In May, a UNAMSIL soldier allegedly raped a minor girl in Makeni; a UNAMSIL investigation was being conducted at year's end. The Personnel Conduct Committee, which UNAMSIL established in 2002 to receive complaints of impropriety, continued to operate, and the UNAMSIL Human Rights Section held training sessions on sexual abuse during the year for newly arrived peacekeepers.

Prison conditions improved in some locations during the year; however, conditions in other facilities were poor. International human rights observers who visited maximum-security Pademba Road Prison reported that prisoners had adequate access to food, medical care, recreation, and vocational skills training. However, in May, human rights observers visited prisons and police detention facilities in the Western Area, Kono, Bombali, Kambia, Port Loko, and Kenema District and reported that conditions frequently fell below minimum international standards because of overcrowding, unhygienic conditions, and insufficient medical attention. Such conditions resulted in numerous deaths during the year. Many problems resulted from the poor state of the judiciary; for instance, case backlogs in the courts led to severe overcrowding. Pademba Prison, which was designed to house 325 prisoners, held more than 800 prisoners. Conditions in holding cells in police stations were extremely poor, especially in small stations outside of Freetown. Government policy precluded family visits to prisoners at Pademba Prison except in exceptional circumstances and on a case-by-case basis. During the year, international monitors visited the SCSL detention facilities on Bonthe Island and the new facility in Freetown; conditions reportedly met acceptable standards. In August, all SCSL detainees were transferred to the Freetown facility.

International observers who visited Liberian combatants throughout the year at Mape and Mafanta Internment Camps reported that conditions were adequate; however, a number of juveniles were held with adults. Approximately 450 former Liberian combatants were detained at the 2 camps at year's end.

Male and female prisoners were housed separately. Adults and juveniles were incarcerated together. Pretrial detainees were held with convicted prisoners.

International monitors, including UNAMSIL and the International Committee for the Red Cross (ICRC), had unrestricted access to visit Pademba Prison and other detention facilities, including the SCSL detention facilities. At least one local human rights group claimed that it could not get unrestricted access to the prisons, although another local human rights group, Prison Watch, reported on detention facilities throughout the country.

#### d. Arbitrary Arrest, Detention, or Exile

The Constitution prohibits arbitrary arrest and detention; however, government forces occasionally arrested and detained persons arbitrarily.

The SLP, which has primary responsibility for maintaining internal order, received insufficient resources, lacked investigative or forensic capabilities, and was widely viewed as corrupt and incompetent. During the civil war, numerous officers were killed or fled their posts, which resulted in a reduction of the country's police force from approximately 9,500 officers to 7,000. Budget constraints have impeded recruitment efforts, as have the lack of basic educational skills of applicants, many of whom had no schooling during the civil war. In May 2002, the Government appointed Brima Acha Kamara as the first citizen to head the Inspector General of Police (IGP) in 5 years. During the year, IGP Kamara continued efforts to bring the SLP, which numbered more than 8,100 officers year's end, up to pre-war levels.

During the year, there were frequent reports that police officers took bribes at checkpoints and falsely charged motorists with violations, and impounded vehicles to extort money.

The law requires warrants for searches and arrests in most cases; however, arrest without warrant was common. There were adequate judicial protections against false charges; however, prisoners often were detained for prolonged periods on false charges. Detainees have the right of access to family or counsel; however, access to counsel was often delayed, and family visits were restricted at maximum-security Pademba Prison (see Section 1.c.). There are provisions for bail, and there was a functioning bail system; however, international observers described frequent cases of excessive bail. Many criminal suspects were held for months before their cases were examined or formal charges were filed.

Police often arrested persons at the request of individuals who claimed they were owed money by the arrestee. For example, in November, police arrested without charge a foreign businessman, who was detained for 2 days at the request of a former business partner who was trying to extract money.

The 31 members of the West Side Boys, who were charged in 2002 with 11 counts of murder in connection with incidents in 1999 and 2000, remained in detention awaiting trial at Pademba Road Prison at year's end. International human rights groups criticized their continued detention without trial; however, local human rights groups did not actively advocate on behalf of the West Side Boys because of a reported aversion to their activities.

At year's end, more than 60 RUF/AFRC members remained in Pademba prison awaiting trial, including: 47 RUF prisoners, who were arrested in 2000 and indicted in 2002 on 70 counts of murder and related charges; and 20 RUF/AFRC prisoners arrested in 2000 who have not been indicted.

There were frequent reports of prolonged pretrial detention, failure to follow arrest and detention procedures, and lack of legal assistance for prisoners. In August, RUF detainees at Pademba Prison reported to international monitors that they had been incarcerated without trial since May 2000, that they had not appeared in court since January, and that approximately 60 other former RUF members had not been permitted contact with family members or legal counsel.

The Constitution does not provide for forced exile, and the Government did not use it.

#### e. Denial of Fair Public Trial

The Constitution provides for an independent judiciary, and the Government generally respected this provision in practice; however, the judiciary continued to function only in part of the country. The judiciary continued to reestablish operations in areas that were abandoned during the war, although there still were large parts of the country without judicial institutions. The judiciary at times was subject to corruption.

On December 22, former Minister of Transport and Communication Momoh Pujeh, who was convicted in September of illegally possessing rough diamonds, was released by the High Court after he served only 3 months of a 2-year sentence; the High Court claimed its reversal of the lower court's decision was based on insufficiency of evidence. However, observers noted that Pujeh was caught with the diamonds and an illegal mining permit.

The judicial system consists of the Supreme Court, appeals courts, the High Court, whose justices are chosen by the President, and magistrate courts. Local courts administered traditional law with lay judges; appeals from these lower courts moved to the superior courts.

The Constitution and the law provide for a speedy trial; however, in practice, the lack of judicial officers and facilities often produced long delays in the judicial process. Trials were usually fair; however, there was evidence that corruption influenced some cases. A majority of cases on the magistrate level were prosecuted by police officers, many of whom had little or no formal legal training.

In June, for the first time in more than a decade, cases were heard at the High Court in Port Loko. Justices of the Peace were present throughout the country. For most of the year, only one magistrate covered all provinces outside of the Western Area; however, by year's end, one magistrate was permanently stationed in Pujehun District.

Traditional justice systems continued to extensively supplement the central government judiciary in cases involving family law, inheritance, and land tenure, especially in rural areas. Unlike in the previous year, there were no reports that former CDF and Movement of Concerned Kono Youth held informal courts in Kono District to settle disputes among area residents.

During the year, the SCSL indicted 13 persons for war crimes and other abuses (see Section 4).

There were no reports of political prisoners.

#### f. Arbitrary Interference with Privacy, Family, Home, or Correspondence

The Constitution and law prohibit such practices, and the Government generally respected these prohibitions in practice.

Unlike in the previous year, there were no reports that youths from the Lower Bambara chiefdom tried to drive out former RUF commanders from the area.

No action was taken against the approximately 100 persons who destroyed dozens of homes in Kono District in 2002, allegedly to rid the area of non-Kono persons.

In January, Liberian combatants attacked Mandavalahun and reportedly forced some villagers to carry goods until the attackers fled back into Liberia. The affiliation of the Liberian attackers with either the Government of Liberia or rebel forces could not be reliably determined. Although there was an RSLAF presence in the area, it did not deter the attack. The RSLAF performed frequent border patrols to deter such attacks, and UNAMSIL maintained a heavy presence in Kailahun District; however, the porous border with Liberia made such cross-border raids difficult to stop completely.

### Section 2 Respect for Civil Liberties, Including:

#### a. Freedom of Speech and Press

The Constitution provides for freedom of speech and of the press; however, the Government at times limited these rights in practice.

More than 50 newspapers were published in Freetown during the year, covering a wide spectrum of interests and editorial

opinion. Most of the newspapers were independent, and several were associated with opposition political parties. Reporting was often politicized and inaccurate, in large part because of poor training of journalists, insufficient resources, and a lack of commitment to objectivity. Corruption among journalists was widespread. The number of newspapers fluctuated weekly. Newspapers openly and routinely criticized the Government and its officials, as well as opposition parties and former rebel forces.

Due to low levels of literacy and the relatively high cost of newspapers and television, radio remained the most important medium of public information. Several government and private radio and television stations broadcast; both featured domestic news coverage and political commentary.

The Independent Media Commission (IMC) regulated independent media outlets. Although it was an independent body, some media observers alleged that the Government influenced it. In 2002, the IMC instituted a \$2,000 (4 million Leones) annual license fee for single channel radio stations. Radio journalists and media monitors claimed that this fee was prohibitively expensive and would limit severely the number of independent radio stations. The IMC threatened to close any radio station that did not pay the fee; however, by year's end, no stations had been closed. Unlike in the previous year, the IMC did not order newspapers to cease publication.

On October 9, Paul Kamara, editor of the For Di People newspaper, was found guilty of civil libel and fined \$25,000 (60 million Leones) for publishing an article that accused a High Court judge of corruption. Media groups charged that the action was an attempt to stop Kamara from publishing; the fine reportedly would require Kamara to divest himself of his press assets. On October 11, authorities arrested Kamara and two other employees of the newspaper on three counts of seditious libel against President Kabbah; the three were released on October 23. International media groups continued to call for the repeal of the criminal libel law under which Kamara was charged.

By year's end, the 2002 IMC case against Mohamed Koroma had not been heard by the High Court.

There was no action taken against police forces that detained the editor of the Democrat newspaper in 2001. There was no further development on the rumors of "killing squads" that allegedly targeted a list of seven journalists in 2001.

The Government did not restrict access to the Internet; however, the parastatal Sierratel communications company exercised a monopoly over land-line access to the Internet. A private company offered satellite-based Internet service; however, the cost precluded broad usage. The lack of competition and the poor condition of telephone lines often made Internet connectivity problematic.

The Government did not restrict academic freedom. University infrastructure destroyed during the conflict had not yet been restored fully by year's end. Classes were cancelled several times during the year due to the Government's failure to pay teachers on time.

#### b. Freedom of Peaceful Assembly and Association

The Constitution provides for freedom of assembly, and the Government generally respected this right in practice.

Several large demonstrations took place during the year, including opposition party political rallies. Although some demonstrations were marred by violence, most were relatively peaceful. At times UNAMSIL forces backed up government security forces in dealing with demonstrations.

There was no further action on the July 2002 killing, allegedly by UNAMSIL troops, of two persons during a demonstration in Freetown.

The Constitution provides for freedom of association, and the Government generally respected this right in practice. There were numerous civic, philanthropic, and social organizations, and the registration system was routine and nonpolitical. No known restrictions were applied to the formation or organization of the 16 opposition political parties and the more than 60 registered civic action NGOs. Throughout the year, the RUF, the political party formed from the RUF, continued to exist, although it had serious problems with membership and organization.

#### c. Freedom of Religion

The Constitution provides for freedom of religion, and the Government generally respected this right in practice.

For a more detailed discussion, see the [2003 International Religious Freedom Report](#).

#### d. Freedom of Movement Within the Country, Foreign Travel, Emigration, and Repatriation

The Constitution provides for these rights, and the Government generally respected them in practice; however, there were

frequent reports that SLP officers manned roadblocks and stopped motorists to extort money from travelers.

Since April 2001, approximately 220,000 registered internally displaced persons (IDPs) have been resettled; many more were unregistered and returned to their homes without assistance. NGOs estimate that approximately 10,000 to 20,000 unregistered IDPs remained, mostly in urban areas. The last remaining IDP camps were closed in December 2002; however, two camps for war-wounded persons remained, one in Grafton, and another for amputees in Freetown.

Approximately 32,000 refugees were repatriated during the year. An estimated 40,000 persons remained in refugee camps in Guinea and Liberia; smaller numbers remained in Cote d'Ivoire, the Gambia, Ghana, and other countries and were expected to integrate locally in those countries.

The large influx of IDPs and refugees and the lack of resources caused tension with local residents; however, there were no reported incidents of violence. There were numerous reports that refugees and IDPs returned to find their homes occupied.

The law does not provide for the granting of refugee status or asylum to persons who meet the definition in the 1951 U.N. Convention Relating to the Status of Refugees and its 1967 Protocol; however, in practice, the Government provided protection against refoulement and granted refugee status and asylum. The Government cooperated with the U.N. High Commissioner for Refugees (UNHCR) and other organizations in assisting refugees.

The Government also provided temporary protection to certain individuals who fall outside of the definition of the 1951 Convention Related to the Status of Refugees or its 1967 Protocol. During the year, the Government continued to provide temporary protection to an increasing number of Liberians who had fled the conflict in their home country. More than 67,000 Liberian refugees were living in the country by year's end, according to the UNHCR. Some camps, at times, were unable to provide adequate food or shelter for the influx of refugees, which sometimes caused instability in border areas. In April, the UNHCR opened its eighth refugee camp in the country near Tobanda village; the camp had a capacity for 10,000 persons.

International aid workers reported several cases of abuse and exploitation of refugees by aid workers throughout the year. For example, there were allegations, in March, that several NGO employees had sexual relationships with refugees below the age of consent; the contracts of these employees were not renewed.

The Liberian border officially closed, at times, during the year due to the civil conflict in Liberia; however, authorities permitted refugees, returnees, and other persons to move between the two countries regularly. There were some unconfirmed reports of bribery or coercion at border crossing points. At year's end, the border was open for all travel.

### Section 3 Respect for Political Rights: The Right of Citizens to Change their Government

The Constitution provides for the right of citizens to change their Government; however, the May 2002 elections were marred by some irregularities.

Presidential and parliamentary elections were held in May 2002; 11 political parties were represented in the elections. President Kabbah of the SLPP was re-elected with 70 percent of the popular vote. The RUF fielded presidential and parliamentary candidates, but won only 1.7 percent of the vote. In Parliament, the SLPP won 83 seats; only 2 other parties won seats. Only the SLPP was represented in the Cabinet after two cabinet members, who were earlier considered to be independent, joined the SLPP following the elections. Many international monitors declared the elections free and fair; however, there were credible reports of significant abuse of incumbency, uneven voter registration, manipulation of vote counting, and partisan action by the National Electoral Commission (NEC). There also were reports of voter coercion by party bosses and traditional leaders.

Locally elected councils and a traditional chieftain system controlled local government. Local elections, which were to have taken place in 1999, again were postponed; however, during the year, a commission to prepare for local elections was created. In January and February, largely peaceful elections were held to replace paramount chiefs; however, there were some instances of violence and political interference by the ruling party.

Only citizens can vote, and the Citizenship Act restricts the acquisition of citizenship at birth to persons of "patrilineal Negro-African descent." Since legal requirements for naturalization effectively denied citizenship to many long-term residents, a large number of persons of Lebanese ancestry, who were born and resided in the country, could not vote (see Section 5). A small percentage of the Lebanese population had been naturalized and did vote.

There were 16 women in the 112-seat Parliament, 3 women in the Cabinet, and 1 in the Supreme Court. A significant number of women were employed as civil servants.

### Section 4 Governmental Attitude Regarding International and Nongovernmental Investigation of Alleged Violations of Human Rights

A number of domestic and international human rights groups generally operated with few government restrictions, investigating and publishing their findings on human rights cases. Government officials generally were cooperative and responsive to their

views. The National Forum for Human Rights (NFHR) served as an umbrella organization for human rights groups in the country. More than 30 human rights NGOs were registered with the NFHR, although only approximately 20 of these were said to be active. The majority of domestic human rights NGOs focused on human rights education, while only a few NGOs actively monitored and reported human rights abuses. The Campaign for Good Governance oversaw widespread monitoring activities.

Human rights monitors traveled freely in previously rebel-held areas. Intensive reporting, data collection, and investigations continued in these formerly inaccessible areas. Representatives of various international NGOs, foreign diplomats, the ICRC, and U.N. human rights officers were able to monitor trials and to visit prisons and custodial facilities during most of the year; however, the Government on occasion attempted to restrict such visits (see Section 1.c.).

UNAMSIL expanded its regional human rights offices to include eight provincial human rights offices in addition to the UNAMSIL Human Rights Section in Freetown, which conducted training, monitoring, reporting, and advocacy throughout the year. During the year, the UNAMSIL Human Rights Section led a campaign to establish a National Human Rights Commission as mandated by the 1999 Lome Peace Accord to oversee implementation of the TRC's final report; the Commission's mandate was under discussion at year's end.

The SCSL, a U.N.-Sierra Leone war crimes tribunal established in 2002 to try those who "bear the greatest responsibility for the commission of crimes against humanity, war crimes, and serious violations of international humanitarian law," indicted 13 persons during the year: Former RUF leader Foday Sankoh; Sam 'Maskita' Bockarie, Sankoh's deputy; RUF commander Morris Kallon; AFRC commander Akex Tamba Brima; RUF and AFRC/RUF commander Issa Sesay; CDF leader Sam Hinga Norman; AFRC commander Brima Kamara (AKA Buzzy); AFRC leader Santigie Kanu (AKA Five-Five); AFRC leader Johnny Paul Koroma (AKA JPK); RUF commander Augustine Gbao; Kamajor leader Allieu Kondewa; Kamajor leader Moinina Fofana; and former Liberian President Charles Taylor. Four of the 13 were not in custody at year's end: Sankoh, who died in July from a pulmonary embolism while in custody; Bockarie, who was killed during the year in Liberia; Charles Taylor, who was exiled to Nigeria during the year; and Koroma, who escaped from police custody in January and has not been seen since. All those indicted were charged with crimes against humanity, violations of Article 3 common to the Geneva Conventions and of Additional Protocol II, and other serious violations of international humanitarian law. Specific charges included murder, rape, extermination, acts of terror, sexual slavery, conscription of children into an armed force, attacks on U.N. peacekeepers, and looting and burning of homes from 1997 to 1999. Initial appellate arguments were heard in November, and the first trials were expected to begin in early 2004.

In handing down the indictments of RUF leaders, the SCSL cited the following incidents among others: The June 1997 killings and burning of civilian houses in Telu, Sembehun, Mamborna, and Tikonko, Bo District; the February 1998 to June 1998 killings, rapes of women and children, mutilation, abduction, looting, and burning in Kono District; the January 1999 killings, rapes, mutilations, abductions, burning, and looting, in Freetown; and the use of child soldiers. The indictment of CDF leader Sam Hinga Norman included references to the following crimes: The November 1997 to February 1998 killings, looting, and burning at or near Tongo Field; the November 1997 to February 1998 killings during "Operation Black December" in the southern and eastern provinces; and the use of child soldiers.

The TRC, a hybrid U.N.-Sierra Leone war crimes tribunal established in 2002 to provide a forum for publicly airing the grievances of victims and the confessions of perpetrators from the civil war, held hearings from April through August; approximately 500 persons appeared before the Commission. The testimony of victims dominated the hearings; however, the testimony of perpetrators, who initially were reluctant to appear, increased toward the conclusion of the hearings. Public attendance at many of the hearings was low; however, proceedings were broadcast on radio and television. The TRC also conducted thematic hearings on good governance, corruption, the role of civil society, and the rights of women.

The U.N. and numerous NGOs, both domestic and international, continued to educate and sensitize the population about the TRC and the SCSL, and the Government supported these efforts.

#### Section 5 Discrimination Based on Race, Sex, Disability, Language, or Social Status

The Constitution prohibits discrimination against women and provides for protection against discrimination on the basis of race and ethnicity; however, residents of non-African descent, particularly the Lebanese community, faced institutionalized political restrictions on the acquisition of citizenship.

#### Women

Domestic violence against women, especially wife beating, was common. The police were unlikely to intervene in domestic disputes except in cases involving severe injury or death. In rural areas, polygyny was common. Women suspected of marital infidelity often were subjected to physical abuse. Frequently women were beaten until they divulged the names of their partners. Because husbands could claim monetary indemnities from their wives' partners, the beatings often continued until the woman named several men even if there were no such relationships. There also were reports that women suspected of infidelity were required to undergo animistic rituals to prove their innocence.

Rape was recognized as a societal problem and was punishable by up to 14 years' imprisonment. There were reports that former rebel forces continued to force women and girls to act as sex slaves. There also were reports of the sexual abuse of refugees in refugee camps. Cases of rape were underreported, and indictments were rare, especially in rural areas. Medical or psychological services for rape victims were very limited. Rape victims were required to obtain a medical report to file charges; however, government doctors charged \$20 (50,000 Leones) for such an exam, which was prohibitively expensive for most victims. The International Rescue Committee opened centers in Freetown and Kenema to perform medical examinations and provide counseling for victims of sexual assault; human rights monitors also urged the Government to eliminate or lower the cost.

FGM was practiced widely at all levels of society, although with varying frequency. The less severe form of excision was practiced. UNICEF and other groups estimated that 80 to 90 percent of women and girls had undergone the practice; however, local groups believed that this figure was overstated. FGM was practiced on girls as young as 5 years old. No law prohibits FGM. Although a number of NGOs worked to eradicate FGM and to inform the public about its harmful health effects, active resistance by women's secret societies, in which FGM commonly occurred as part of initiation rites, countered efforts against the practice.

By year's end, the Director of Public Prosecutions had not decided whether to file charges against the 10 women arrested in 2002 in connection with the death of a 14-year-old girl following an FGM rite.

Prostitution was widespread and legal; however, prostitutes sometimes were arrested and charged with loitering or vagrancy. Many women and girls, particularly those displaced from their homes and with few resources, resorted to prostitution as a means to support themselves and their children.

The Constitution provides for equal rights for women; however, in practice, women faced both legal and societal discrimination. In particular, their rights and status under traditional law varied significantly depending upon the ethnic group to which they belonged. The northern Temne and Limba tribes gave greater rights to women to inherit property than did the southern Mende tribe, which gave preference to male heirs and unmarried daughters. In the Temne tribe, women could not become paramount chiefs; however, in the Mende tribe, there were several female paramount chiefs. Women did not have equal access to education, economic opportunities, health facilities, or social freedoms. In rural areas, women performed much of the subsistence farming and had little opportunity for formal education.

Women were active in civic and philanthropic organizations. Domestic NGOs, such as 50/50 and Women's Forum, raised awareness of gender equality and women's issues and encouraged women to enter politics as candidates for Parliament.

#### Children

The Government was committed to improving children's education and welfare; however, it lacked the means to provide them with basic education and health services. The Ministry of Social Welfare, Gender, and Children's Affairs had primary responsibility for children's issues.

The law requires school attendance through primary school; however, only 42 percent of school-aged children were enrolled in school, according to UNICEF. Schools, clinics, and hospitals throughout the country were looted and destroyed during the 11-year insurgency; most were not rebuilt by year's end. A large number of children received little or no formal education. Schools were financed largely by formal and informal fees, but many families could not afford to pay them. The average educational level for girls was markedly below that of boys, and only 6 percent of women were literate. At the university level, male students predominated.

FGM was performed commonly on girls (see Section 5, Women).

More than 7,000 child soldiers served alongside adults on both sides during the civil conflict. By 2002, when demobilization was completed, 6,845 child combatants had been demobilized since 1998, according to the National Commission for Disarmament, Demobilization, and Reintegration. Girls represented 8 percent of demobilized child soldiers and 30 percent of reunified noncombatant separated children. In previous years, UNAMSIL compelled the RUF to disarm, demobilize, and release its child soldiers; however, there were concerns that a significant number of children remained with their captors. Because U.N. and human rights observers estimated that girls represented 50 percent of those abducted during the war, and there were reports that the rebels released disproportionate numbers of boys, these groups feared that many girls continued to be held as sex slaves. During the year, more than 3,000 children from both groups participated in UNICEF's Community Education Investment Program (CEIP), which was designed to enable children separated from their families to return to school. CEIP provided each school that enrolled a child ex-combatant with learning, teaching, or recreational materials to assist 200 children for 1 year. Others were in special transitional centers, which were designed to help provide for their unique mental and emotional needs prior to reunification with their families. There continued to be reports that some families and communities rejected the returnees because of their perceived involvement in rebel atrocities. Child protection agencies reported that hundreds of boys and girls did not participate in the formal demobilization process. Locating the families of released child combatants often was difficult, and some did not want to assume responsibility for their children, some of whom were mentally and emotionally incapable of rejoining their families. However, 98 percent of the 7,134 children who were registered with child protection agencies as separated from their families or as ex-combatants had been reunited with their families by year's end.



## Persons with Disabilities

There was no outright discrimination against persons with disabilities in housing or education; however, given the high rate of general unemployment, work opportunities for persons with disabilities were few. Public facility access and discrimination against persons with disabilities were not considered public policy priorities. Although a few private agencies and organizations attempted to train persons with disabilities in useful work, there was no government policy or program directed particularly at persons with disabilities. No law mandates accessibility to buildings or provides assistance to persons with disabilities.

Some of the numerous individuals maimed in the fighting, or who had their limbs amputated by rebel forces, received special assistance from various local and international humanitarian organizations. Such programs involved reconstructive surgery, prostheses, and vocational training to help them acquire new work skills; however, amputees complained that they did not receive sufficient assistance compared to ex-combatants, who received assistance through the demobilization process. Attention to amputees increased the access of other persons with disabilities to health care and treatment.

## National/Racial/Ethnic Minorities

The ethnically diverse population consisted of at least 13 ethnic groups that all spoke distinct primary languages and were concentrated outside urban areas; however, all ethnic groups besides the Krio used Krio as a second language. Little ethnic segregation was apparent in urban areas, and interethnic marriage was common. The two largest ethnic groups were the Temne in the north and the Mende in the south. Each of these groups was estimated to make up approximately 30 percent of the population. There were reports of interethnic tension.

Ethnic loyalty remained an important factor in the Government, the armed forces, and business. Complaints of ethnic discrimination in government appointments, contracts, military commissions, and promotions were common.

Residents of non-African descent faced institutionalized political restrictions (see Section 3). Legal requirements for naturalization, such as continuous residence in the country for 15 years or the past 12 months and 15 of the previous 20 years, effectively denied citizenship to many locally born residents, notably members of the Lebanese community.

## Section 6 Worker Rights

### a. The Right of Association

The Constitution provides for the right of association, and in practice, workers had the right to join independent trade unions of their choice. Police and members of the armed services were prohibited from joining unions. Approximately 60 percent of the workers in the formal sector in urban areas, including government workers, were unionized, but attempts to organize agricultural workers and mineworkers have met with little success. All labor unions generally joined the Sierra Leone Labor Congress (SLLC), but membership was voluntary. There were no reliable statistics on union membership.

The Trade Union Act provides that any five persons may form a trade union by applying to the registrar of trade unions, who has statutory powers under the act to approve the creation of trade unions. The registrar may reject applications for several reasons, including an insufficient number of members, proposed representation in an industry already served by an existing union, or incomplete documentation. If the registrar rejects an application, the decision may be appealed in the ordinary courts, but applicants seldom took such action.

The law does not prohibit anti-union discrimination against workers or employer interference in the establishment of unions; however, there were no reports of such cases during the year. An employee fired for union activities could file a complaint with a labor tribunal and seek reinstatement. Complaints of discrimination against trade unions were made to a tribunal.

Unions were free to form federations and to affiliate internationally. The SLLC was a member of the International Confederation of Free Trade Unions.

### b. The Right to Organize and Bargain Collectively

The Regulation of Wages and Industrial Relations Act provides the legal framework for collective bargaining. Collective bargaining must take place in trade group negotiating councils, each of which had an equal number of employer and worker representatives. Most enterprises were covered by collective bargaining agreements on wages and working conditions. The SLLC provided assistance to unions in preparations for negotiations; in the case of a deadlock, the Government could intervene. Although most cases involving industrial issues continued to go through the normal court system, the Industrial Court for Settlement of Industrial Disputes heard more than 20 cases during the year.

Workers had the right to strike, although the Government could require 21 days' notice. There were several significant strikes in the public sector during the year. Teachers and doctors went on strike over wages and unpaid salaries in the form of work stoppages and sick-outs. Dock workers went on strike after authorities briefly detained the president of the Dock Workers Union in connection with an October 3 attack on the Chairman of the Board of the Ports Authority.

No law prohibits retaliation against strikers, even for a lawful strike; however, the Government did not take adverse action against the employees and paid some of them back wages.

There are no export processing zones.

#### c. Prohibition of Forced or Bonded Labor

The Constitution prohibits forced and bonded labor, including by children; however, forced labor remained a problem (see Section 6.d.). Under the Chiefdom's Council Act, individual chiefs may impose forced labor as punishment, and have done so in the past. They also may require members of their villages to contribute to the improvement of common areas, a practice that occurred only in rural areas. There is no penalty for noncompliance. There were reports of bonded labor in rural areas.

Some women and girls, although in significantly less numbers than before, allegedly remained with former RUF rebels as sex slaves (see Section 5).

Liberian forces used persons for forced labor (see Section 1.f.).

#### d. Status of Child Labor Practices and Minimum Age for Employment

Child labor was a problem. The official minimum age for employment is 18 years; however, children between the ages of 12 and 18 years may work in certain non-hazardous occupations, provided that they had parental consent. Due to a severe lack of resources, the Government was unable to implement these laws.

Children routinely assisted in family businesses and worked as petty vendors. Adults employed a large number of street kids to sell, steal, and beg. In rural areas, children worked seasonally on family subsistence farms. Hundreds of children, including those 10-years-old and younger, mined in alluvial diamond fields for relatives. Because the adult unemployment rate remained high, few children were involved in the industrial sector or the formal economy.

Foreign employers hired children to work as domestic laborers overseas at extremely low wages and in poor conditions. The Department of Foreign Affairs and International Cooperation was responsible for reviewing overseas work applications to see that no one under the age of 14 was employed for this purpose; however, the reviews were ineffective.

The Constitution prohibits forced and bonded labor by children; however, such practices continued to exist. There were reports of bonded labor by children in rural areas. There continued to be reports that former RUF commanders forced children to mine diamonds. The Government had not asserted complete control over the diamond fields by year's end.

#### e. Acceptable Conditions of Work

The minimum wage is approximately \$10.50 (21,000 Leones) per month; it had not been adjusted since 1997. The minimum wage was not sufficient to provide a decent standard of living for a worker and family. Most workers supported an extended family, often including relatives who were displaced by the insurgency in the countryside. It was common to pool incomes and to supplement wages with subsistence farming and child labor (see Section 6.d.).

The Government's suggested workweek is 38 hours, but most workweeks exceeded that figure.

Although the Government set health and safety standards, it lacked the funding to enforce them properly. Trade unions provided the only protection for workers who filed complaints about working conditions. Initially, a union could make a formal complaint about a hazardous working condition; if this complaint was rejected, the union could issue a 21-day strike notice. If workers were to remove themselves from dangerous work situations without making a formal complaint, they risked being fired.

The law protects both foreign and domestic workers; however, there were fewer protections for illegal foreign workers.

#### f. Trafficking in Persons

The law does not prohibit trafficking in persons, and there were reports that persons were trafficked from and within the country. Child prostitution was a problem (see Section 5).

With the end of the war and the demobilization of child soldiers, trafficking in persons lessened significantly. The Government acknowledged unconfirmed reports of limited trafficking within and from the country; however, it lacked resources to address the problem adequately. There were no figures available on the extent of the trafficking problem. Children reportedly were trafficked to Liberia as forced conscripts and to Europe in false adoption schemes.